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FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE: June 2, 2006

CLIENT-MATTER NUMBER: 16010-09591

To:

NAME:	FAX No.:	PHONE No.:
U.S. Patent & Trademark Office	(571) 273-8300	

FR 12 011

FROM: Rajiv P. Patel

PHONE:

(650) 335-7607

RE: Application No. 09/800,080 Filed: March 5, 2001

NUMBER OF PAGES WITH COVER PAGE: 10

MESSAGE:

Pursuant to my conversation with Examiner Barot on June 1, 2006, attached is a Transmittal, Fee Transmittal, and Amendment After Final for filing. Please deduct the 1-mo. extension fee from our deposit account.

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR ITS DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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AS SOON AS POSSIBLE.

16010/09591/DOCS/1628697.1

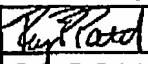
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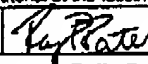
JUN 02 2006

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TRANSMITTAL FORM (to be used for all correspondence during pendency of filed application)	Application Number	09/800,080	
	Filing Date	March 5, 2001	
	First Named Inventor	Steven J. Schaffer	
	Group Art Unit Number	2155	
	Examiner Name	Bharat Barot	
Total Number of Pages in This Submission	9	Attorney Docket Number	16010-09591

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input checked="" type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [] Sheet(s) of Figure(s) []
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declaration	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References	<input type="checkbox"/>
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/>
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/>
<input checked="" type="checkbox"/> Amendment/Response: [6] Pages <input checked="" type="checkbox"/> After Final	<input type="checkbox"/>
<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT			
Signature:			
Attorney/Reg. No.:	Rajiv P. Patel, Reg. No. 39,327	Dated:	June 2, 2006

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.			
Signature:			
Typed or Printed Name:	Rajiv P. Patel	Dated:	June 2, 2006
Facsimile Number:	1-571-273-8300		

16010/09591/DOCS/1628680.1

JUN 02 2006

**FEE TRANSMITTAL
for FY 2006**

Patent fees are subject to annual revision.

Complete if Known

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 120.00

Application Number 09/800,080

Filing Date March 5, 2001

First Named Inventor Steven J. Schaffer

Examiner Name Bharat Barot

Art Unit 2155

Attorney Docket No. 16010-09591

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick & West LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity/Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath or declaration	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	120.00
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1460	—	1480	—	Petitions to the Director	
1807	50	1807	50	Processing fee for Provisional Applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	800	1802	800	Request for expedited examination of a design application	
Other fee (specify):					
SUBTOTAL (1) (\$)					SUBTOTAL (3) (\$) 120.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid
Total Claims		-20** =		X	=	
Independent Claims		-3** =		X	=	
Multiple Dependent					=	
Large Entity	Small Entity					
Fee (\$)	Fee (\$)					
Code	Code					
1202	50	2202	25			Claims in excess of 20
1201	200	2201	100			Independent claims in excess of 3
1203	360	2203	180			Multiple dependent claim, If not paid
1204	200	2204	100			**Reissue independent claims over original patent
1205	50	2205	25			**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type) Rajiv P. Pael

Registration No. 39,327
(Attorney/Agent)

Complete (if applicable)

Telephone: (650) 335-7607

Signature

Date

June 2, 2006

JUN-02-06

02:00PM

FROM-Fenwick & West Mountain View

850 938 5200

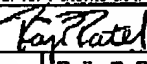
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IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Steven J. Schaffer and Jacob Weil
SERIAL NO.: 09/800,080
FILING DATE: March 5, 2001
TITLE: Method for Performing Response Time Analysis of Network Performance
EXAMINER: Bharat Barot
GROUP ART UNIT: 2155
ATTY. DKT. NO.: 16010-09591

CERTIFICATE OF FACSIMILE TRANSMISSION			
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Typed or Printed Name:	Rajiv P. Patel	Dated:	June 2, 2006
Facsimile Number:	1-571-273-8300		

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COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

AMENDMENT AFTER FINAL UNDER 37 C.F.R. § 1.116
IN RESPONSE TO ADVISORY ACTION

Sir:

This amendment for the patent application identified above is in response to the final Office action dated February 8, 2006. Applicants submit this Amendment and Response within a one-month statutory period.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 6 of this paper.

Kindly amend this application as indicated herein.

06/05/2006 AKELECH1 00000079 192555 09800080

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24006/09521/DOCS/1628515.1